

NOTICE OF SPECIAL ELECTION.

Whereas, on the 8th Day of July, A.D. 1915, the City Council of the City of Corpus Christi, Nueces County, Texas, at a regular meeting held at the City Hall on said date, the following resolution was duly offered by Commissioner Ward, and adopted by the following vote, to-wit: Roy Miller, H. H. Sutherland, T. D. Ward, L. G. Collins, and J. H. Gallagher, all voting aye.

Resolutions.

Whereas, J. H. Cawell, citizen of San Diego, California, has petitioned the City Council of the City of Corpus Christi, by virtue of the authority contained in the charter of said City, to order a special election for the adoption or rejection of the legally qualified voters of the City of Corpus Christi of the grant or franchise conferring upon the said J. H. Cawell the rights, powers and privileges of, and over, the said franchises, entitled An Ordinance granting to J. H. Cawell, his successors and assigns, the right to construct, maintain and operate a system of interurban railways within the City of Corpus Christi, and over, along across and upon those certain designated streets and avenues in the City of Corpus Christi, Texas, and regulating the construction, operation, equipment and maintenance thereof.

Therefore, It is Resolved by the City Council of the City of Corpus Christi,

That it is hereby ordered that an election be held on the 10th day of August, A. D. 1915, at which date the adoption or rejection of the grant to J. H. Cawell by the City of Corpus Christi of the rights, powers and franchises contained in and over, along across and upon those certain designated streets and avenues in the City of Corpus Christi, Texas, and regulating the construction, operation, equipment and maintenance thereof.

Therefore, It is Resolved by the City Council of the City of Corpus Christi,

That it is hereby ordered that an election be held on the 10th day of August, A. D. 1915, at which date the adoption or rejection of the grant to J. H. Cawell, his successors and assigns, the rights, powers and franchises contained in and over, along across and upon those certain designated streets and avenues in the City of Corpus Christi, Texas, and regulating the construction, operation, equipment and maintenance thereof, shall be submitted to said voters.

The following officers are hereby appointed to hold said election:

O. H. Wright, Presiding Judge.

F. T. McLean, Assistant Judge.

C. R. Wallace, Clerk.

F. F. Eschmann, Clerk.

The preceding notice of said election shall appear each Saturday in the City of Corpus Christi, and shall be published in the newspaper of record for law. The polls of said voting place shall be kept open from 7 a.m. until 6 p.m. on the 10th day of August, A. D. 1915, and of said election may legally qualify voters of the City of Corpus Christi, Nueces County, Texas, shall be allowed to vote. Voting shall be by an official ballot as required by law, and numbered as required by law, in the following form, to-wit:

Official Ballot.

For the adopting of J. H. Cawell's certain franchises, entitled An Ordinance granting to J. H. Cawell, his successors and assigns, the right to construct, maintain and operate a system of interurban railways within the City of Corpus Christi, and over, along across and upon those certain designated streets and avenues in the City of Corpus Christi, Texas, and regulating the construction, operation, equipment and maintenance thereof.

Against the adopting of J. H. Cawell's certain franchises, entitled An Ordinance granting to J. H. Cawell, his successors and assigns, the right to construct, maintain and operate a system of interurban railways within the City of Corpus Christi, and over, along across and upon those certain designated streets and avenues in the City of Corpus Christi, Texas, and regulating the construction, operation, equipment and maintenance thereof.

The notice of holding said special election shall be governed by the laws of the State of Texas, relating to regular elections in the City of Corpus Christi, Nueces County, Texas.

A copy of the resolution, signed by the Mayor of the City of Corpus Christi, shall serve as a proper notice of said election and the said Mayor is directed to cause the same to be posted up at said voting place, in said voting precinct, the same being a public place in said City, and to cause the same to be given to a copy of said ordinance, to every voter having a residence in the City of Corpus Christi, Texas, and regulating the construction, operation, equipment and maintenance thereof.

The notice of holding said special election shall be governed by the laws of the State of Texas, relating to regular elections in the City of Corpus Christi, Nueces County, Texas.

AN ORDINANCE.

Granting to J. H. Cawell, his successors and assigns, the right to construct, maintain and operate a system of interurban railways within the City of Corpus Christi, and over, along across and upon those certain designated streets and avenues in the City of Corpus Christi, Texas, and regulating the construction, operation, equipment and maintenance thereof.

Be it ordained by the City Council of the City of Corpus Christi,

Section 1. That J. H. Cawell, his successors and assigns, hereinafter referred to and styled the grantee, is hereby granted, for a period of thirty years from the date of passage and approval herein, the right, privilege and franchise of constructing, maintaining and operating a single track interurban railway system within the City of Corpus Christi, and over, along across and upon the following named streets, avenues and alleys of the City of Corpus Christi, Texas, to-wit:

Walter Street and Seaboard Street, Thence with Water Street to the intersection of Bay View Avenue, Thence with Bay View Avenue to the intersection of Hancock Avenue, Thence with Hancock Avenue to the intersection of Second Street, Thence with Second Street to the intersection of Morgan Avenue, Thence with Morgan Avenue to the in-

tersection of Ninth Street, Beginning again at the intersection of Brewster Street with the track of the San Antonio and Aransas Pass Railway Company, Thence with Brewster Street extended to intersect with McLaughlin Avenue extended, Thence with McLaughlin Avenue to the intersection of Chapito Street, Thence with Chapito Street to the intersection of Last Street, Thence with Last Street to Chamberlain Street, Thence with Chamberlain Street, Ninth Street and Central Boulevard to South boundary line of the City of Corpus Christi, Beginning again on Water Street at its intersection with Seaboard Street, Thence with Seaboard Street to Main Street, Thence with Main Street to Tiger Street and North Broadway to Jones Street, Thence with Jones Street to Carrington Street to Antelope Street, Thence with Antelope Street to Mason Street, Thence with Mason Street to Last Street, Thence with Mason Street to Last Street, It is expressly understood that the portion of this grant which covers any street or part thereof, now occupied by a line of street railway, or any land the title to which is in the City of Corpus Christi, or which Street or proposed extension thereof has not yet dedicated for public purposes, shall be limited to the rights of the City of Corpus Christi to make said grant, and shall be only so far as said City is legally authorized to make same.

The said railway shall consist of a single track, with all necessary sidetracks, switches, turnouts, spurs, poles, poles, fixtures, cars and apparatus, materials and equipment needed in the construction and operation of said railway, and the said grantee shall have the right to construct for the purpose of transmitting power for the propulsion of its cars, overhead trolley cables, suspended on poles placed along the curb line of or in the center of such streets, avenues and alleys where the driveway is more than sixty feet in width.

Section 2. All wires suspended from trolley posts shall not be less than seventy feet above the surface of the street, and all construction and improvements of said railway shall be conducted under the supervision of the Commissioner of Streets and Public Improvements of the City of Corpus Christi, so as to avoid the least interference in the construction and in the maintenance with the trees and unobstructed use of the streets by the public, consistent with the proper construction and maintenance of said railway, and the City Engineer, and the City Engineer of the City of Corpus Christi, and the Bridge and the Grade of the street, or where the grade is changed or changed, the grantee herein shall raise or lower the tracks of said girder railroad to conform thereto at his own expense, and all dirt excavated or needed by said grantee to meet said requirements shall be disposed of as directed by the City of Corpus Christi at grantee's own expense, when said dirt is not required to be moved more than ten feet from any part of unearthened railway.

The entire system of tracks, poles, trolley poles, cars and equipment shall be new and of a type approved by the City of Corpus Christi and suitable in design for the service for which it is intended. All construction details and specifications for its construction must be approved by the City of Corpus Christi. After the construction and completion of said line, there shall be maintained in continuous service a schedule for the passage of cars in each direction with no less frequency than every two hours in the same direction, on all interurban cars, between the hours of 7:00 a.m. and 10:00 p.m. on each day, unless prevented by temporary accidents, strikes or act of God. It being expressly understood that the City Council reserves the right to fix schedules for cars used for city service alone.

Section 3. The said grantee shall within thirty days after the passage of this ordinance deposit with the City Clerk a written acceptance of the terms and conditions hereof, but shall prior to the passage of this ordinance deposit with the City Treasurer the sum of Five Thousand (\$5,000) Dollars to be collected by the City of Corpus Christi, Texas, as liquidated damages upon the following conditions, to-wit:

First. That the grantee will actually commence in good faith the construction of his railway within six months from the date of the acceptance of this ordinance.

Second. That the grantee will prosecute the construction of said railway with reasonable diligence and in conformity with the provisions of this franchise, and have at least two and one-fifth miles thereof in operation, as herein provided, within fifteen months after date of commencing actual construction, and have at least one-half mile of the balance in operation, as herein provided, within twenty-four months after date of commencing actual construction, and have all of same in operation as herein provided, within thirty months after the date of commencing actual construction.

In default of the building said first two and one-fifth miles in the manner and within the time limit herein provided, the City of Corpus Christi shall collect, said \$5,000 and appropriate same as liquidated damages. If said two and one-fifth miles of railway are completed within the time limit above provided, the sum of Two Thousand and Five Hundred (\$2,500) Dollars shall be returned to said grantee. In default of the building of one-half of the balance of said railway, within the time limit as herein provided, the said Board of Arbitration shall not take into consideration the value of this franchise or grant held by the grantee from said City, but

liquidated damages. When said one-half of the balance of said railway is completed within said time limit the additional sum of \$2,500 shall be returned to said grantee. In default of the final completion of said railway, as herein provided, the \$2,500 so left with said City Treasurer shall be collected by the City of Corpus Christi, and appropriated as liquidated damage.

When said railway is completed within the time limit said last \$2,500 shall be returned to said grantee. Provided, however, if any delay be occasioned on account of manufacturers being unable to fill orders placed for materials, cars, rails or equipment within the time limit, or grantee shall submit proof of diligent efforts to buy rails or other material for the construction of said line, and inability to procure delivery thereof on account of delay of manufacturer or manufacturer, or for other good reason, satisfactory to the Council of said City, such period of delay shall be deducted in computing the time and construction shall commence or said line shall be put in operation.

Section 4. The cars upon said railway shall be operated at a speed of not more than eight miles per hour in the business portion of the City, nor more than fifteen miles per hour in the residential portion thereof.

Section 5. The cars upon said railway shall be operated at a speed of not more than eight miles per hour in the business portion of the City, nor more than fifteen miles per hour in the residential portion thereof.

Section 6. The grantee herein shall promptly pay all taxes and assessments that may from time to time be lawfully levied and assessed against his said property by the City of Corpus Christi, or which Street or proposed extension thereof has not yet dedicated for public purposes, shall be limited to the rights of the City of Corpus Christi to make said grant, and shall be only so far as said City is legally authorized to make same.

The said railway shall consist of a single track, with all necessary sidetracks, switches, turnouts, spurs, poles, poles, fixtures, cars and apparatus, materials and equipment needed in the construction and operation of said railway, and the said grantee shall have the right to construct for the purpose of transmitting power for the propulsion of its cars, overhead trolley cables, suspended on poles placed along the curb line of or in the center of such streets, avenues and alleys where the driveway is more than sixty feet in width.

Section 7. All wires suspended from trolley posts shall not be less than seventy feet above the surface of the street, and all construction and improvements of said railway shall be conducted under the supervision of the Commissioner of Streets and Public Improvements of the City of Corpus Christi, so as to avoid the least interference in the construction and in the maintenance with the trees and unobstructed use of the streets by the public, consistent with the proper construction and maintenance of said railway, and the City Engineer, and the City Engineer of the City of Corpus Christi, and the Bridge and the Grade of the street, or where the grade is changed or changed, the grantee herein shall raise or lower the tracks of said girder railroad to conform thereto at his own expense, and all dirt excavated or needed by said grantee to meet said requirements shall be disposed of as directed by the City of Corpus Christi at grantee's own expense, when said dirt is not required to be moved more than ten feet from any part of unearthened railway.

Section 8. In the construction of said railway where grants are established the surface of said railway shall conform to the established grants, but where no grants are established the same shall be laid to conform to the existing surface. Provided, however, that where tracks are laid on streets where the street surface does not conform to the established grants upon the establishment of such grants by the City of Corpus Christi, and the Bridge and the Grade of the street, or where the grade is changed or changed, the grantee herein shall raise or lower the tracks of said girder railroad to conform thereto at his own expense, and all dirt excavated or needed by said grantee to meet said requirements shall be disposed of as directed by the City of Corpus Christi at grantee's own expense.

Section 9. All rolling stock, repair shop, business offices and car houses used in the operation of the city street railway system shall be kept within the limits of the said city of Corpus Christi, except rolling stock and terminals, each subject to reasonable regulations which the grantee may impose to prevent the abuse of this privilege by the use of such tickets by others than school children. Policemen and members of the Fire Department shall be carried free, in accordance with the provisions of the State and pass law. Children under five years of age, when accompanied by adults shall be carried free. Grantees shall carry half fare tickets on his cars and make change therewith to children entitled thereto.

Section 10. The grantee herein shall have the right and privilege to make such arrangements for securing electric or other power for the propagation of his interior cars as it shall seem best, not incompatible herewith, and shall also have the right and privilege of establishing electric and maintaining an electric power plant or other plant or plants for the purpose of manufacturing and supplying electrical electricity and electric or steam power, or either of them, for his own use, and for sale to the public, but is granted desire to sell said power, he shall do so in light of the public, he shall do so until he obtains franchises thereto from the City of Corpus Christi, regarding the prices to be charged for such heat, light and power, as well as the material used, still the construction of the means for furnishing such heat, light and power, said franchise to be as nearly as possible, the same as franchises hereinbefore granted to other companies for the sale of heat, light and power.

Section 11. The owner of property used by the grantee shall be that granted by the City Council for that purpose.

Section 12. This franchise may be forfeited for failure to provide proper and adequate service commensurate with good management and business, or for persistent violation of the specific terms of this franchise.

Section 13. The grantee shall at all times be subject to the City Charter and the City Ordinances now in existence, or which may hereafter be adopted, for the protection of the owners of such property, and during an emergency.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:

WHEREAS, the said City has been duly constituted and organized by the City Council, and other interested parties, to-wit: The grantee, J. H. Cawell, his successors and assigns, and the City of Corpus Christi, and the Bridge and the Grade of the street, or where the grade is changed or changed, the grantee herein shall raise or lower the tracks of said girder railroad to conform thereto at his own expense, and all dirt excavated or needed by said grantee to meet said requirements shall be disposed of as directed by the City of Corpus Christi at grantee's own expense, when said dirt is not required to be moved more than ten feet from any part of unearthened railway.

The grantee shall at all times observe and keep the necessary danger signals and proper guards around all excavations and structures and shall keep sufficient space in good condition for the travel of wagons and teams, on at least one side of all excavations and obstructions, and shall do so as practicable, restrain all streets and public places to a small extent, equally as before, any openings or obstructions are made, and shall observe and follow all reasonable regulations and orders of the City Engineer with regard to paving.

Section 14. This ordinance is granted upon the express condition that the grantee herein named shall, as soon as said railroad is ready to begin operations, become a resident citizen of the State of Texas or that he will, and assign to him, his wife and his associates under the laws of the State of Texas for the purpose of maintaining and operating said railroad.

Section 15. This ordinance shall be in force and effect whatever time it shall be accepted by the grantee with in the time and in the manner herein mentioned.

Section 16. It is expressly agreed and understood that the City of Corpus Christi shall have at all times the right to pass any ordinances for the protection of the citizens of the City of Corpus Christi and their property, and the grantee shall be bound by the same.

Section 17. This franchise may be forfeited for failure to provide proper and adequate service commensurate with good management and business, or for persistent violation of the specific terms of this franchise.

Section 18. The grantee shall be subject to the City Charter and the City Ordinances now in existence, or which may hereafter be adopted, for the protection of the owners of such property, and during an emergency.

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Section 19. This ordinance is granted upon the express condition that the grantee herein named shall, as soon as said railroad is ready to begin operations, become a resident citizen of the State of Texas or that he will, and assign to him, his wife and his associates under the laws of the State of Texas for the purpose of maintaining and operating said railroad.

Section 20. This ordinance shall be in force and effect whatever time it shall be accepted by the grantee with in the time and in the manner herein mentioned.

Section 21. It is expressly agreed and understood that the City of Corpus Christi shall have at all times the right to pass any ordinances for the protection of the citizens of the City of Corpus Christi and their property, and the grantee shall be bound by the same.

Section 22. Wherever the words "the grantee" occur in this ordinance they mean and be understood to be J. H. Cawell, his successors, assigns or agents, and any individual, corporation, receiver or other person or authority owning or operating such franchise or said railroad.

Section 23. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 24. Whenever the said grantee shall fall or refuse or neglect, after reasonable notice from the City of Corpus Christi, to construct, repair or place in proper condition the road bed of such track or tracks or any part thereof, the City of Corpus Christi, shall have the right to cause the same to be repaired or replaced, and the cost thereof to be paid by the grantee.

Section 25. The said grantee shall daily furnish to the City of Corpus Christi, information concerning the condition of his property, and the grantee shall maintain his property in a neat and clean condition, and shall not do any thing which would interfere with the use of the streets or sidewalks by the public.

Section 26. The said grantee shall daily furnish to the City of Corpus Christi, information concerning the condition of his property, and the grantee shall maintain his property in a neat and clean condition, and shall not do any thing which would interfere with the use of the streets or sidewalks by the public.

Section 27. The said grantee shall daily furnish to the City of Corpus Christi, information concerning the condition of his property, and the grantee shall maintain his property in a neat and clean condition, and shall not do any thing which would interfere with the use of the streets or sidewalks by the public.

Section 28. The said grantee shall daily furnish to the City of Corpus Christi, information concerning the condition of his property, and the grantee shall maintain his property in a neat and clean condition, and shall not do any thing which would interfere with the use of the streets or sidewalks by the public.

Section 29. The said grantee shall daily furnish to the City of Corpus Christi, information concerning the condition of his property, and the grantee shall maintain his property in a neat and clean condition, and shall not do any thing which would interfere with the use of the streets or sidewalks by the public.

Section 30. The said grantee shall daily furnish to the City of Corpus Christi, information concerning the condition of his property, and the grantee shall maintain his property in a neat and clean condition, and shall not do any thing which would interfere with the use of the streets or sidewalks by the public.

Section 31. The said grantee shall daily furnish to the City of Corpus Christi, information concerning the condition of his property, and the grantee shall maintain his property in a neat and clean condition, and shall not do any thing which would interfere with the use of the streets or sidewalks by the public.